THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.21430 of 2007

Between:

Ch.Shanker Rao and another.

.. PETITIONERS

and

The Mandal Revenue Officer and others.

.. RESPONDENTS

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ORDER:

It is stated that the petitioners are in possession and enjoyment of the lands admeasuring Ac.6-00 gts and Ac.1-17 gts. respectively in Sy.No.98 situated at Badipally village, Karimnagar Mandal and District. It is stated that they purchased the said lands in the year 2001-02 respectively from the original owners and they are not the Government lands or the assigned lands. But, when the respondents sought to dispossess the petitioners from the lands in question without following due process of law, the petitioners made a representation before the 3rd respondent on 01-10-2007.

I am not inclined to express any opinion as to whether the lands in question are assigned lands or Government lands or private lands and I am also not inclined to express any opinion with regard to the right, title and possession of the petitioners over the lands in question. However, even if the petitioners are encroachers, they cannot be evicted from the lands in question without following due process of law. If the lands in question are assigned lands, the respondent have to follow due process prescribed under A.P.Assigned Lands (Prohibition of Transfers) Act, 1977.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondents not to dispossess the petitioners from the lands in question without following due process of law. There shall be no order as to costs.

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11-10-2007

Note:

Issue C.C. by tomorrow

(B/o)

Prv